

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: **Carlos Alonzo**

Case No.: _____

Judge: _____

Debtor(s)

Chapter: _____

13

CHAPTER 13 PLAN AND MOTIONS

☐ Original☒ Modified/Notice Required☒ Discharge Sought☐ Motions Included☐ Modified/No Notice Required☐ No Discharge SoughtDate: April 11, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
 CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay \$195.00 monthly to the Chapter 13 Standing Trustee starting January 2017 for approximately 4 months; the Debtor shall pay \$230.00 monthly to the Chapter 13 Standing Trustee starting May 2017 for approximately 44 months. The total length of Plan is approximately 48 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:



Future Earnings



Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Scott E. Tanne st2477	Attorney Fees	3,000.00
Internal Revenue Service	Taxes and certain other debts	0.00
State of New Jersey	Taxes and certain other debts	0.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated

as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Toyota Motor credit Corp	2011 Mazda 3 76800 miles	9,403.00	6,200.00	None	6,200.00	3.00	6,587.18

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
-NONE-

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$___ to be distributed *pro rata*

_____ Not less than ___ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Toyota Motor Credit Corp	2011 Mazda 3 76800 miles	6,200.00	3,203.00

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: December 15, 2016.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
to extend the overall length of the case so allow debtor more time to pay off the agreed-upon cramdown amount to Toyota at an affordable monthly payment	same

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 11, 2017 /s/ Scott E. Tanne
Scott E. Tanne st2477
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 11, 2017 /s/ Carlos Alonzo
Carlos Alonzo
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Carlos E. Alonzo
 Debtor

Case No. 16-33903-JKS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 33

Date Rcvd: May 12, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 14, 2017.

db
 516550880 +Carlos E. Alonzo, 102 Sandford Avenue, #1, North Plainfield, NJ 07060-4320
 516550882 ABC Financial Services Inc, PO BOX 6800, North Little Rock, AR 72124-6800
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
 516550881 +Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 516550885 +Citibank / Sears, Po Box 6283, Sioux Falls, SD 57117-6283
 516550884 +Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040,
 Saint Louis, MO 63179-0040
 516550886 +Equifax, PO BOX 740241, Atlanta, GA 30374-0241
 516550887 +Experian, PO BOX 9701, Allen, TX 75013-9701
 516550888 +Fed Loan Servicing, Po Box 69184, Harrisburg, PA 17106-9184
 516550889 +Fed Loan Servicing, Po Box 60610, Harrisburg, PA 17106-0610
 516550890 +Fed Loan Servicing, Po Box 69184, Harrisburg, PA 17106-9184
 516550891 +Fed Loan Servicing, Po Box 60610, Harrisburg, PA 17106-0610
 516550892 +First Response Ambulance Inc., 455 Bayview Avenue, Inwood, NY 11096-1701
 516550894 +Lutheran Medical Center, 150 55th Street, Brooklyn, NY 11220-2559
 516550895 NYU Langone Hospital Center, NYU Langone Physician Services, PO BOX 415662,
 Boston, MA 02241-5011
 516583701 +NYU Langone Physician Services, C-Tech Collections, Inc., 5505 Nesconset HWY-Ste. 200,
 Mt. Sinai, NY 11766-2026
 516550898 +RWJ University Hospital, c/o RWJBarnabas Health, 95 Old Short Hills Road,
 West Orange, NJ 07052-1008
 516550897 +Retro Fitness, 505 N Michigan Ave, Kenilworth, NJ 07033-1076
 516550899 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Department of Treasury,
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)
 516550902 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor credit Corp, 4 Gatehall Dr Ste 350,
 Parsippany, NJ 07054)
 516582409 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 516550903 +Trans Union, PO BOX 2000, Chester, PA 19022-2000
 516725618 U.S. Department of Education, c/o FedLoan Servicing, P.O. Box 69184,
 Harrisburg, PA 17106-9184
 516550905 +Verizon, Po Box 49, Lakeland, FL 33802-0049
 516550904 +Verizon, 500 Technology Dr, Suite 500, Weldon Spring, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usan.j.njbankr@usdoj.gov May 12 2017 22:13:05 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov May 12 2017 22:13:03 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516652205 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM May 12 2017 22:22:35
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 516550883 +E-mail/Text: bankruptcy@certifiedcollection.com May 12 2017 22:12:59
 Certified Credit & Collection Bureau, PO Box 1750, Whitehouse Station, NJ 08889-1750
 516550893 E-mail/Text: cio.bncmail@irs.gov May 12 2017 22:12:50 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 516784680 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 12 2017 22:22:27
 Portfolio Recovery Associates, LLC, c/o Sears Mastercard, POB 41067, Norfolk VA 23541
 516550896 +E-mail/Text: Supportservices@receivablesperformance.com May 12 2017 22:13:31
 Receivables Performance Management LLC, 20816 44th Ave W, PO Box 1548,
 Lynnwood, WA 98046-1548
 516550900 +E-mail/Text: bkyelectnotices@tgslc.org May 12 2017 22:13:18 Texas Guaranteed Std Loan Corp,
 Po Box 83100, Round Rock, TX 78683-3100

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516550901* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor credit Corp, Po Box 8026, Cedar Rapids, IA 52408)
 TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 33

Date Rcvd: May 12, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 14, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 9, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Scott E. Tanne on behalf of Debtor Carlos E. Alonzo info@tannelaw.com, clerk@tannelaw.com

U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4